

## Article - Transportation

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§24-111.1.

(a) Except as otherwise provided in this section, as to any vehicle found to exceed the weight limits permitted under this subtitle, if the overweight does not exceed 5,000 pounds, a police officer may require the driver to unload the excess weight.

(b) Except as otherwise provided in this section, as to any vehicle found to exceed the weight limits permitted under this subtitle, if the overweight exceeds 5,000 pounds, the vehicle may not be moved until the excess weight is unloaded.

(c) Except on interstate highways, if an overweight vehicle bears registration plates issued by this State and is transporting liquid milk in bulk from the producer, the vehicle may be granted a 5 percent tolerance on the applicable registration or statutory gross weight limit. However, a tolerance granted under this subsection may not permit the gross weight of the vehicle to exceed 80,000 pounds.

(d) As to an overweight vehicle carrying an indivisible load:

(1) If it is the first indivisible load overweight violation by the driver of the vehicle, the vehicle may be allowed to proceed, after a permit to do so is obtained from the State Highway Administration; and

(2) If it is a second or subsequent indivisible load overweight violation by the driver of the vehicle, the vehicle shall return with its load to its place of entry or origin in this State, after a permit to do so is obtained from the State Highway Administration.

(e) As to an overweight vehicle carrying perishable products as its only load, the vehicle shall be allowed to proceed to its destination if:

(1) It is the first perishable load overweight violation by the driver of the vehicle following a period of at least 365 consecutive days without a perishable load overweight violation; and

(2) The overweight does not exceed 5,000 pounds.

(f) All material or cargo unloaded under this section shall be cared for by the motor carrier or operator of the vehicle at the risk of the motor carrier or operator.

(g) A person convicted of a violation of subsection (b), (d)(2), or (e) of this section is subject to:

- (1) For a first offense, a fine not exceeding \$1,000;
- (2) For a second offense, a fine not exceeding \$2,000; and
- (3) For a third or subsequent offense, a fine not exceeding \$3,000.

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